

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

	X	
In re:	X	
	X	Chapter 11
GLOBAL FERTILITY & GENETICS	X	
NEW YORK, LLC	X	Case No.: 23-10905-PB
	X	
Debtor.	X	
	X	

**STIPULATION AND ORDER  
REMOVING ITEMS FROM RECORD ON APPEAL**

**WHEREAS**, on September 17, 2024, the Court issued its *Findings of Fact, Conclusions of Law, and Order Confirming Dr. Hu’s Third Amended Chapter 11 Plan of Reorganization and Granting Related Relief* [Docket No. 197], which references that certain *Memorandum Decision Confirming Dr. Hu Bo’s Chapter 11 Plan of Reorganization*, dated September 7, 2024 [Docket No. 192] (collectively, the “**Confirmation Order**”);

**WHEREAS**, on September 23, 2024, Appellant Annie Liu filed a Notice of Appeal of the Confirmation Order [Docket No. 198];

**WHEREAS**, on October 7, 2024, Appellant Annie Liu (“**Appellant**”) filed her *Statement of Issues on Appeal and Designation of Items to be Included in the Record on Appeal* [Docket No. 199] (the “**Appellant’s Designation**”);

**WHEREAS**, on October 18, 2024, Appellee Dr. Hu Bo (“**Appellee**”) filed his *Counterstatement of Issues on Appeal and Designation of Additional Items to be Included in the Record On Appeal* [Docket No. 202](the “**Appellee’s Counter-Designation**”);

**WHEREAS**, Appellee filed a motion [Docket No. 203](the “**Motion**”) for entry of an order, pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy**”

**Rules**”), striking certain items contained in Appellant’s Designation, namely, items identified in Appellant’s Designation as “Liu Exhibit 26,<sup>1</sup>” “Liu Exhibit 32,<sup>2</sup>” and “Liu Exhibit 33;<sup>3</sup>”

**WHEREAS**, Appellant has informally objected to one item contained in Appellee’s Counter-Designation, namely, “Dr. Hu Exhibit 28,<sup>4</sup>” [Docket No. 137];

**WHEREAS**, Appellee and the Appellant have conferred and agreed to resolve this matter as set forth herein.

**NOW THEREFORE, IT IS STIPULATED AND ORDERED AS FOLLOWS:**

1. The Motion is resolved as set forth herein.
2. That Liu Exhibit 26, Liu Exhibit 32, and Liu Exhibit 33 are deemed removed from Appellant’s Designation.
3. That Dr. Hu Exhibit 28 is deemed removed from Appellee’s Counter-Designation.
4. Once entered on the Bankruptcy Court docket for this case, the Clerk of the Bankruptcy Court shall transmit this Order to the district court where the appeal is pending to be filed on the docket of the district court.

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<sup>1</sup> ECF 199-4 and described by Appellant as “Prospective Sale Plan Proposal from Silver Birch Group”.

<sup>2</sup> ECF 199-6 and described by Appellant as “Screen Shot of Properties Related to Scan of Signed ASA in October 2019.”

<sup>3</sup> ECF 199-7 and described by Appellant as “Citrin Cooperman Agreement Signed by Dr. Doody.”

<sup>4</sup> ECF 137 and described by Appellee as “Letter / Chapter 11 Trustee’s (a) Statement in Accordance with Sections 1106(a)(3) and (4) of the Bankruptcy Code; and (b) Report Under 1106(a)(5) of the Bankruptcy Code.”

**AGREED TO BY APPELLANT AND APPELLEE AS OF NOVEMBER 4, 2024:**

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**IT IS SO ORDERED.**

Dated: New York, New York  
November 8, 2024

/s/ Philip Bentley  
**Hon. Philip Bentley**  
**United States Bankruptcy Judge**